

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ROBERT HOPKINS, III,

Plaintiff,

v.

DEPARTMENT OF DEFENSE,

Defendant.

No. 3:22-CV-00706-C

DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME

Defendant the Department of Defense (“the Department”) respectfully requests that the Court grant the Department a three-week extension, until July 18, 2025, of its time to file its consolidated brief responding to Plaintiff’s motion for leave to file an amended complaint, ECF No. 71, and replying in support of the Department’ motion to dismiss and for summary judgment, ECF No. 32. The Department’s brief is currently due Friday, June 27. ECF No. 78. In addition, the Department respectfully requests that the Court grant Plaintiff an extension to file his reply in support of his motion to amend until August 29, 2025. Counsel for the Department has conferred with counsel for Plaintiff, who has indicated that Plaintiff does not oppose the relief requested herein. As good cause in support of this motion, the Department represents the following:

1. Plaintiff filed this lawsuit on March 27, 2022. See Compl., ECF No. 1.
2. The Department filed a motion to dismiss and for summary judgment on October 4, 2023. ECF No. 32. On March 24, 2025, this Court dismissed Plaintiff’s complaint in full with prejudice for failure to prosecute. ECF No. 47.

3. On February 14, 2025, the United States Court of Appeals for the Fifth Circuit reversed the dismissal and remanded the case back to this Court for further proceedings. *See Hopkins v. United States of America*, No. 24-10462 (5th Cir. Feb. 14, 2025). Accordingly, on March 12, 2025, this Court vacated its prior judgment, ECF No. 48, and entered a scheduling order for briefing on the Department's motion to dismiss and for summary judgment, ECF No. 60.

4. Plaintiff filed his response to the Department's motion on April 15, 2025. ECF No. 73. On April 11, 2025, Plaintiff moved for leave to file an amended complaint. ECF No. 71. Pursuant to the currently operative schedule, Defendant's consolidated brief responding to Plaintiff's motion for leave to file an amended complaint and replying in support of the Department's motion to dismiss and for summary judgment is due Friday, June 27. ECF No. 78.

5. The Department respectfully requests a three-week extension, until July 18, 2025, of its time to file a consolidated brief responding to Plaintiff's motion for leave to file an amended complaint and replying in support of the Department's motion to dismiss and for summary judgment.

6. In turn, the Department requests an equal extension of Plaintiff's reply in support of his motion to amend, which is currently due August 5, 2025. ECF No. 78. The Department requests that Plaintiff's reply be filed, should he choose to file one, by August 29, 2025.

7. The Department seeks the extension due to the recent departures of the managing attorneys who were familiar with this case, unexpected absences from the office due to an

illness in the family of undersigned counsel, and the continued press of other work obligations on undersigned counsel.

8. Counsel for Plaintiff has indicated that Plaintiff does not object to the relief requested herein.

Accordingly, the Department requests that the Court grant the Department a three-week extension, until July 18, 2025, of its time to file a consolidated brief responding to Plaintiff's motion for leave to file an amended complaint and replying in support of the Department's motion to dismiss and for summary judgment; and grant Plaintiff an extension to file his reply in support of his motion to amend until August 29, 2025.

Respectfully submitted,

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Date: June 23, 2025